

**MINUTES
FINANCE COMMITTEE
TUESDAY, MARCH 31, 2015
City Hall, Room 207
5:35**

MEMBERS: Alders Tom De Wane, Andy Nicholson, Tom Sladek and Guy Zima

OTHERS PRESENT: Dawn Foeller, Diana Ellenbecker, Rick Jensen, Attorney Jim Mueller, Mike Hronek, Alders David Nennig, Mark Steuer, Tim De Wane and others.

1. Roll Call. Ald. Tom DeWane was excused.
2. Approval of the Agenda.

A motion was made by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

3. Approval of the minutes of the Finance Committee Meeting of March 9, 2015.

A motion was made by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

4. To approve the amendment to the Animal Service Agreement Contract with language that on the eighth day Bay Area Humane Society has first rights to all stray animals held at Packerland Veterinary.

Attorney Jim Mueller stated the parties did come to an agreement and highlighted the signed amendment contained in the packet.

A motion made by Ald. Andy Nicholson, seconded by Ald. Tom Sladek to open to the floor for discussion.

Renee Oh of Packerland Veterinary who resides in Shawano and Dr. Pat Warpinski, President and doctor at Bay Area Humane Society, 132 Burgundy Court, Green Bay, addressed the committee together. Dr. Pat Warpinski stated that they have come to an agreement between the two organizations. Dr. Pat Warpinski signed the agreement about two weeks ago with no concerns with the arrangement and plan in place. Renee Oh pointed out that it goes as written in the agreement and not as stated on the agenda. Dr. Pat Warpinski stated the phrase utilized with regard to the right of first refusal is not contained in the agreement. Therefore, note has been made to amend the agenda language to strike the verbiage "on the eighth day Bay Area Humane Society." It is to read as follows: To approve the amendment to the Animal Service Agreement Contract between the City of Green Bay and Packerland Veterinary to make available all stray animals, excluding livestock and wildlife, to Bay Area Humane Society.

Patti Pfeister, 2517 Carmel Lane, Green Bay, stated she wanted clarification on the language "for any reason" contained in the amendment. Renee Oh explained that meant if they receive an animal that has a micro-chip installed by a different organization, they have the right to return the animal to that organization. Patti Pfeister

further questioned if that would be the only reason. Dr. Pat Warpinski answered by stating another reason would be if Packerland would receive livestock or animals BCHS does not handle.

Attorney Jim Mueller stated that Bay Area Humane Society is not a party to our agreement with Packerland, so there are issues that will need to be resolved between Packerland and Bay Area Humane Society. Bay Area Humane Society has signed an acknowledgement that they have read the amendment and they are ok with it. We cannot build logistical things between Bay Area Humane Society and Packerland Veterinary; that will have to be worked out between the two entities.

Ald. Andy Nicholson asked what the City's role is.

Attorney Jim Mueller stated that the City's role is essentially to sign an amendment with Packerland Veterinary, and that is what was done. Attorney Jim Mueller confirmed Packerland Veterinary is stating they are ok with the amendment.

Patti Pfeister also asked what would happen if an animal that needs surgery, has an ongoing medical need, or needs to be monitored before a surgery, would they be sent to Bay Area Humane Society to continue the medical care or would they stay at Packerland Veterinary. Dr. Pat Warpinski responded that all on-going care would be continued by Bay Area Humane Society until they were ready to be adopted. All medical history and treatments will be included with each individual animal transported and the quality of care would continue at Bay Area Humane Society.

Patti Pfeister had other concerns as well and wanted to go on public record as a citizen of Green Bay stating her concerns. Patti Pfeister stated that Bay Area Humane Society's management was a mess two years ago and that is how this whole thing got started and is happy that Packerland Veterinary was awarded the contract. It needs to be proved to her that things have changed and improved with Bay Area over the last two years. It was also stated that she is amazed the amendment has been brought forward and is happy that it addresses qualifications and restrictions and trusts Packerland Veterinary's judgment on releasing animals as to where they go.

Patti Pfeister's other concern was keeping the animals local. She did not like Packerland Veterinary sending them to other areas because they needed them to be adopted and stay in Green Bay. She does not see a difference between Bay Area Humane Society being local and then having animals brought in from other states. She believes this is contradictory; when you can bring them in from other places; however want ours to stay local. If that is being done, maybe they should only be adopted out in the City of Green Bay. The practice seems to be inconsistent. One of the initial concerns was that Bay Area Humane Society was bringing in animals from other areas and was told this was a money maker for them and helped support their organization.

Dr. Warpinski addressed this concern by stating it is a common practice of Humane Societies around the country to help out other Humane Societies with overload or shortfalls in adopted animals.

The amendment brought forward tonight enables both Packerland and Bay Area Humane Society a way to work together and share the animals locally to reduce the need to bring in animals from outside locations.

Patti Pfeister continued to take the floor discussing the definition of a “no kill” facility and how each organization will care for animals that may have health issues.

Dr. Warpinski addressed this issue stating that standards have been set for this very issue by both BAHS and Packerland Veterinary and they are both in agreement and supportive of the standards set on the handling and care of young or small animals who will be cared for in a similar manner as they are now. Dr. Warpinski went on to say BAHS has a volunteer program that is used on an as needed basis, that should animals need additional care, these volunteers are available to hand-feed, hand-rear the animals until they are capable to eat and drink on their own.

Lisa Peters, 325 North Maple Avenue, Green Bay, took the floor and stated she would have liked to see more details contained in the contract to which Ald. Zima asked if she would be willing to share those suggestions for the 2016 contract. Ms. Peters stated she already has them written down and will share them so the City could review and take them into consideration when working on the 2016 agreement.

A motion to return to regular order of business made by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

Ald. Andy Nicholson questioned why the City went out for an RFP for this service to which Purchasing Manager, Rick Jensen, responded by saying that the animal control division of the Police Department was dissatisfied with the level of service provided by BAHS. The Law Department was working to update and revise the expired contract to address these issues, however, had reached an impasse with the contract negotiations with BAHS, resulting in the issuance of the RFP.

Ald. Andy Nicholson asked Attorney Mueller why the City needed this amendment. Atty Mueller responded that he was directed by the Council, via a communication that came to the Finance Committee earlier this year from Ald. Tim DeWane, to work with both parties to reach an agreement to address the concerns the parties had. This amendment addresses those concerns.

Motion was made to approve amendment to the animal service agreement contract between the City of Green Bay and Packerland Veterinary to make available all stray animals, except livestock and wildlife, to Bay Area Humane Society made by Ald. Tom Sladek, seconded by Ald. Guy Zima, motion carried with Ald. Andy Nicholson voting no.

5. Request by the Purchasing Manager to approve the following:

- a. Request approval to purchase Identix TouchPrint Fingerprint Equipment from MorphoTrak, Inc. for \$20,418.

Motion made to approve by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

- b. Request approval to purchase two Segway Police Patrollers from Segway, Inc. for the total amount of \$15,238.

Motion made to approve by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, carried to approve.

- c. Request approval for a 3-year contract for VoIP Service for the City's telephone network to AT&T for \$86,400 (\$28,800/Year).

Ald. Tom Sladek asked for additional information on this item. IT Administrator, Mike Hronek, explained the contract before you is for the City's Voice over internet protocol (VoIP) which handles the majority of the City's voice communication. Included with this contract are hardware technology upgrades which AT&T will cover.

Motion to approve by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

- d. Request approval for a 3-year contract for Centrex Telephone Service for the City's dedicated telephone lines to AT&T for \$82,800 (\$27,600/Year).

Motion made to approve by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

6. Request by Ald. Andy Nicholson for a list of all locations of cameras controlled or monitored by the GBPD within the City limits of Green Bay followed by a brief explanation for each location.

Finance Director, Dawn Foeller, handed out the list of cameras the City has throughout the City provided by Chief Molitor, who had to leave earlier, that included the camera location, street location, transmitted location, its coverage radius and recording length to the committee.

Ald. Nicholson asked Director Foeller of her knowledge of why the cameras were placed in the area they were, to which she stated they are strategically located in areas which have high vehicle traffic, potential threatened areas like bridges or in areas that may be experiencing particular problems, like Washington Street.

Purchasing Manager, Rick Jensen, went onto say as a follow up to 9/11, there were various grants available from Homeland Security and Port Authorities that allowed the City to purchase many of the cameras in use today.

Ald. Sladek suggested this item be held in order to discuss further with the Chief of Police.

Ald. Nicholson request the Chief to also bring back any positive results and prosecutions the City has experienced with the use of these cameras, costs of maintenance and the explanation for the location of the cameras.

Motion to hold this item for more information until next meeting made by Ald. Tom Sladek, seconded by Ald. Andy Nicholson, and carried to hold.

7. Request by Ald. Tom Sladek to discuss, with possible action, the service agreement between the City and the Oneida Tribe.

The Committee may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Committee may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Ald. Sladek explained the service agreement with the Oneida Tribe was a renewal of an agreement that pre-dated it, with the current agreement in place since March, 2009. The agreement affects properties that are held by the Oneida Tribe in fee simple or in Trust and are located on the West side of the City and are within the boundaries of the original Oneida Reservation. For the City, that means everything West of Taylor Street, and the original reservation accounting for approximately 14% of the City's land mass. Ald. Sladek does not believe this service agreement serves the City well and certainly not the residents of his district.

Ald. Sladek gave four examples of problems this agreement creates.

1. Lack of uniform jurisdiction across properties regarding peace and safety ordinances. Ald. Sladek cited things like zoning, building, nuisance and land use. The City has yielded its authority to enforce any ordinance on any property considered Tribal land and he feels Tribal enforcement of these ordinances have been insufficient.
2. Uncertainty about land use and the concern it may be depressing property values. Residents are unwilling to invest in their homes due to uncertainty about nearby Tribal lands and what might be the future uses of those lands. There is buyer reluctance for that same reason with people who may be looking for properties in these areas.
3. The Tribal payments to the City are not reflective of property values. For trust lands, the values used to calculate the Tribe's payments and taxes are not established by our assessor; they appear in an addendum to the agreement and in some cases they are understated by as much as 75%.
4. Under this agreement, he believes the City is on a long term march for its loss of jurisdictional control over 14% of the City's land mass due to the continuous conversion of Tribal fee parcels into Federal Trust status. The Tribe has indicated it wants to reacquire all of the land of its original reservation and intends for all of it to go into Trust status.

Ald. Sladek went on to say this item is being brought forward today because the service agreement establishes windows of time every three years for either party to negotiate changes to the agreement and we are in one of those windows at this time; we need to act promptly. Since this an entry into a negotiation session, it is recommended we go into further discussion in closed session.

Motion to advance into closed session made by Ald. Tom Sladek, seconded by Ald. Andy Nicholson.

Motion made by Ald. Tom Sladek to return to regular order of business, seconded by Ald. Andy Nicholson.

Motion made by Ald. Tom Sladek to advance this item to next available Common Council Meeting, or special Common Council Meeting, seconded by Ald. Andy Nicholson, and carried to approve.

8. Request by Ald. Chris Wery to review, with possible action, the lawsuit regarding John Kennedy including legal expenses to date.

Regarding the review of damage claims filed against the city, the committee may convene in closed session pursuant to sec. 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The committee may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Motion to hold this item for next meeting made by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

9. Request by Ald. Tom DeWane for an update on the Watermark and for it to include the debt that was abandoned by the developers, guaranties in place for the property, taxes outstanding and City money that was put toward tenant improvements for CH Robinson.

Motion to hold this item until next meeting made by Ald. Tom Sladek, seconded by Ald. Andy Nicholson, and carried to approve.

10. Report by the Finance Director

Motion to receive and place on file made by Ald. Andy Nicholson, seconded by Ald. Tom Sladek, and carried to approve.

Motion to adjourn at 7:10 p.m. made by Ald. Tom Sladek, seconded by Ald. Andy Nicholson, and carried to approve.

2015 Contingency Fund
\$110,000

- 1) **THIS MEETING IS AUDIO TAPED:** THE AUDIO OF THIS MEETING & MINUTES ARE AVAILABLE ON LINE AT WWW.CI.GREEN-BAY.WI.US.
- 2) **ACCESSIBILITY:** Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) **QUORUM:** Please take notice that it is possible that additional members of the Council may attend this committee meeting resulting in a majority or quorum of the Common Council. This may constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) **REPRESENTATION:** The party requesting the communication, or their representative, should be present at this meeting.